



B-1450
Rodney Class
11-28-11-201

A red star-shaped stamp with the letters "USA" in blue below it. There are some handwritten notes in blue ink around the star.

IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT
U.S. COURTHOUSE, ROOM 5523
333 CONSTITUTION AVE., NW
WASHINGTON, DC 20001

Case NO. 15-3015

Rodney Class
Grantor-Creator, Petitioner, Appellant

v.

UNITED STATES OF AMERICA
TRUSTEE, APPELLEE

**APPELLANT REBUTTAL
OF BRIEF FOR U.S.A. VALINDA JONES APPELLEE;
OBJECTIONS AND MOTIONS TO VACATE**

Rodney Dale Class as Grantor-Creator Petitioner
Private Attorney General
Private American Citizen
Private American National of a Protected Class of Living Beings
In care of / 432 North Lincoln Street
High Shoals, North Carolina
Federal Postal ZIP 28077
(704) 240 4315

COVER PAGE OF BRIEF

**CERTIFICATES OF INTERESTED PERSONS**

Rodney Dale Class Grantor-Creator Petitioner
Private Attorney General
Private American Citizen
Private American National of a Protected Class of Living Beings
In care of /432 North Lincoln Street
High Shoals, North Carolina
Federal Postal ZIP 28077
Grantor- Appellee

Vs

UNITED STATES OF AMERICA
NO KNOWN ADDRESS
ARITIFICIAL ENTITY/CORPORATION
UNITED STATES ATTORNEYS OFFICE
As Holder As Trustee, Appellant Respondent

Case # 1: 13 cr 253
United States District Court
Appeal from the United States District Court
Of the District of Columbia
Chief Judge Richard W. Roberts

PETITION FOR JUDICIAL REVIEW CASE # 1: 13 cr 253 RWR

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5. DEFINITIONS

Procedural law consists of the set of rules that govern the proceedings of the court in criminal lawsuits as well as civil and administrative proceedings. The court needs to conform to the standards setup by procedural law, while during the proceedings. These rules ensure fair practice and consistency in the "due process".

Substantive law is a statutory law that deals with the legal relationship between people or the people and the state. Therefore, substantive law defines the rights and duties of the people, but procedural law lays down the rules with the help of which they are enforced. The differences between the two need to be studied in greater detail, for better understanding.

6. INTRODUCTION

COMES NOW, the Agent, Rodney Dale Class, Grantor-Creator, “By Right Of Birth,” Petitioner and Appellant (hereinafter Appellant) for the **CORPORATE** name [**RODNEY CLASS**] to set forth this Appellant Rebuttal.

With all due respect this Appellant thanks the judges and the D.C. Circuit Court for its patience as this Appellant will now try to explain the issues as this Appellant sees them.

This Appellant has watched while both the Amicus Curiae and the UNITED STATES ATTORNEY'S OFFICE battle over who can put in the most or best case law cites. One can have thousands of case law cites, but at the end of the day and all is said and done, the only case law that comes into question is what this Appellant points out below in the statements as the Appellant sees it and asks what is the legitimacy of these three rulings ? **July 23, 2014 - Palmer vs District of Columbia** (1:09-CV-1482 (FJS)), the most recent case law upheld that the DC gun ban was unconstitutional for the **third time; Heller v. District of Columbia 554 U.S. 570 (2008); and MacDonald v. Chicago 561 U.S. 742 (2010).**

District of Columbia, v. Heller, 554 U.S. 570 (2008)

McDonald v. City of Chicago, 561 U.S. 742 (2010)

Heller v. District of Columbia, 670 F.3d 1244 (D.C. Cir. 2011)

Heller v. District of Columbia, 801 F.3d 264 (D.C. Cir. 2015).

Palmer v. DC CASE #: 1:09-cv-01482-FJS

7. POINT OF VIEW OF ISSUES

The issues between this Appellant and the U.S. ATTORNEY'S OFFICE come down to Questions in Law; what authority or force and effect do Court Rulings have; and the Professional Ethics of the UNITED STATES ATTORNEY'S OFFICE ?

1. Does a Court decision, Ruling and/or Opinion have force and affect, and standing in law ?
2. When Judge ROBERTS passed sentence on this Appellant on February 9, 2015 did his Ruling have merit ?
3. When the U.S. supreme Court ruled that the D.C gun restriction(s) was declared to be unconstitutional does that decision have any merit or legitimacy when the U.S. ATTORNEY'S OFFICE fails to adhere to and comply with that decision ?
4. When this D.C. Circuit Court upheld the same U.S. supreme Court decision does this D.C Circuit Ruling have any actual merit when the

U.S. ATTORNEY'S OFFICE fails to adhere to or comply with that decision ?

5. When Federal Judge Frederick J. Scullin, Jr. declared that such action (the D.C. gun ban(s)/restriction(s)) was/were unconstitutional at the time of my hearing did Scullin's declaration have any force and effect in law ?

6. Do the Federal Constitution, Article IV, and Title 28, Section 1738 of the Judiciary and Judicial Procedures place any obligations of compliance on the U.S. ATTORNEY'S OFFICES when Article IV and the Judicial Procedures under Title 28 declares and states under sections 1 and 2:

Section 1. Full faith and credit shall be given in each state to the public acts, records, and judicial proceedings of every other state. And the Congress may by general laws prescribe the manner in which such acts, records, and proceedings shall be proved, and the effect thereof.

Section 2. The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states.

U.S. Code › Part V › Title 28 › Chapter 115 › § 1738

28 U.S. Code § 1738 - State and Territorial statutes and judicial proceedings; full faith and credit

The Acts of the legislature of any State, Territory, or Possession of the United States, or copies thereof, shall be authenticated by affixing

the seal of such State, Territory or Possession thereto.

The records and judicial proceedings of any court of any such State, Territory or Possession, or copies thereof, shall be proved or admitted in other courts within the United States and its Territories and Possessions by the attestation of the clerk and seal of the court annexed, if a seal exists, together with a certificate of a judge of the court that the said attestation is in proper form.

Such Acts, records and judicial proceedings or copies thereof, so authenticated, shall have the same full faith and credit in every court within the United States and its Territories and Possessions as they have by law or usage in the courts of such State, Territory or Possession from which they are taken.

7. And the 14th Amendment states:

Section 1 All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and of the state wherein they reside. No state shall make or enforce any law, which shall abridge the privileges or immunities of citizens of the United States; nor shall any state deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the **equal protection of the laws**.

8. USC Title 42, section 1981 - Equal Rights under the Law

a) Statement of equal rights

All persons within the jurisdiction of the United States shall have

the same right in every State and Territory to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of persons and property as is enjoyed by white citizens, and shall be subject to like punishment, pains, penalties, taxes, licenses, and exactions of every kind, and to no other.

(b) “Make and enforce contracts” defined

For purposes of this section, the term “make and enforce contracts” includes the making, performance, modification, and termination of contracts, and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.

(c) **Protection against impairment**

The rights protected by this section are protected against impairment by nongovernmental discrimination and impairment under color of State law.

9. As the Constitution, Article IV references equal protection under the law, the 14th Amendment references equal protection under the law, and the USC Title 42, section 1981 references equal protection under the law,

10. Then the next question would be, if these are not the laws, then **what** laws are the Prosecution or the Courts talking about ?

11. The UNITED STATES CODES, Title 40 USC, sec. 5102 (c)(1) and sec. 5102 (c)(1)(C) quoted by the UNITED STATES ATTORNEY'S OFFICE as referenced in Ms. JONES' brief, came from WEST

PUBLISHING CO., a/k/a WEST, a/k/a a Thomson Business, and a/k/a Thomson Reuters, but **NOT** from actual Congressional Enactments as found in the “original” federally published Statutes at Large !

a) WEST PUBLISHING CO., et al. is not a branch of government, but is merely a private business and cannot legislate law and does NOT publish actual legislated and enacted law !

12. This Appellant previously made the issue that the revised UNITED STATES CODES were never procedurally or lawfully passed by **both** Houses of Congress in 1925.

a) Vol. 43 of the Statutes at Large clearly shows that Congress' last Enactment stopped on March 4, 1925.

b) Vol. 44 of the Statutes at Large picks up on Dec. 16, 1925 **NOT** on Dec. 7, 1925 when the so-called Statutes at Large were supposedly codified by Congress.

c) Documents were given to Judge KESSLER in Court as proof of this contention.

d) The Federal Register Act of 1935 and the National Industrial Recovery Act of 1934 **clearly show** that the **UNITED STATES CODES are for those persons working either for the Federal or State governments or employed as government contractors and**

these facts were also given to Judge KESSLER as proof of the preceding statement in this sentence.

e) Judge KESSLER asked the Prosecutor if he could rebut the above referenced facts. The Prosecutor **stayed silent !** Judge KESSLER quickly shut the hearing down, again, to stop anything else from being put “on the record.” For instance, the Appellant being able to make a point to the Court and Judge KESSLER that the Prosecution **failed to answer** Judge KESSLER'S question and have that fact appear as part of the record !

f) Whereas MS. JONES has pointed out (on page 13 of her brief) that on Nov. 21, 2014 this Appellant was arraigned.

g) And then, on page 13 MS. JONES has also **stated that a plea agreement was signed on Nov. 16, 2014 five days before this Appellant was even arraigned (on Nov. 21, 2014) !**

h) That signed plea agreement was based on the old charges **NOT** the new ones of Nov. 21, 2014.

i) This Appellant was arraigned on Nov. 21, 2014 under a new set of charges **but under the same case number as the old charges !**

This Does Not seem to be correct procedure.

13. In that arraignment of Nov. 21, 2014 this Appellant started to address the laws and the issues in the court.

14. Judge ROBERTS stopped this Appellant and stated that this court does not operate under LAW **but under “theories and concepts” !**

Really ?

15. This brings us back to issues in section 10 above:

a) If what Judge ROBERTS stated in court on Nov. 21, 2014 is right, and, b) that the Courts are only operated under “Theory and Concept” and **not** LAW, then c) **how can this Appellant be convicted of or by mere “theories” or a “concepts”?**

16. If the UNITED STATES CODES as published by Westlaw Publications, et al., are merely “theory and concept” and not Law, **then what IS the law ?** Please clarify if a private company's re-publication of the Codes is the actual law or is that law actually what Congress originally enacted ?

§ ERRORS OF MS. VALINDA JONES

IN HER APPELLEE BRIEF

17. Ms. JONES is in Error and claiming under 40 USC, sec. 5104 (a)(4) and referring back to 18 USC, sec. 921 for the definition(s) of firearm(s).

a) under 18 USC 921 the footnotes refer you to

Modification of Other Laws

Pub. L. 90-618, title I, § 104, Oct. 22, 1968, 82 Stat. 1226, as amended by Pub. L. 99-514, § 2, Oct. 22, 1986, 100 Stat. 2095, provided that:

“Nothing in this title or the amendment made thereby [amending this chapter] shall be construed as modifying or affecting any provision of—

- a) “...the National Firearms Act (chapter 53 of the Internal Revenue Code of 1986) [section 5801 et seq. of Title 26, Internal Revenue Code];
- b) Under the IRS USC 26 the definition of Firearm is at sec. 5845
- c) Under 27 CFR ATF the definition of Firearm is at sec. 479.11
- d) The 40 USC, sec. 5401 and 18 USC, sec. 921 definitions that Ms. JONES is relying on come from Westlaw Publications, which are apparently “theory and concept” as these USC codes failed to pass both Houses of Congress to become “law” and are merely “administrative regulations” and NOT actual laws.
- e. 40 USC, sec. 5401 and 18 USC, sec. 921 both state no “Person” however, that definition of the word “Person” as it applies to the USC applies only to “aliens lawfully admitted for permanent residence or those who hold a public office or hired as a contractor to work for the government,” and the Prosecutor in the USDC

could not rebut that fact or the legislative proof as previously stated above.

18. Another of Ms. JONES Errors is her claim that a parking violation is her justification to use 40 USC, sec. 5104 and 18 USC, sec. 921.

a) The problem with this is that this Appellant **was NEVER even issued a citation or CHARGED with a parking violation !**

19. Another of Ms. JONES' Errors: Her misleading statement when it comes to her comment about the rifle and pistols and their locations. First she has NO "first hand knowledge in reporting these facts to this court."

She is using hearsay and she is wrong.

a) **This Appellant and the DC CAPITOL HILL POLICE are the only ones with first hand knowledge of the pistols and the rifle and where they were located or if they were visible or not !**

b) Point of fact: the rifle was in a gun case and out of sight under the Appellant's computer, printer, camping gear, two backpacks and tools.

c) The Ross-Taurus pistol was in a gun case inside the Appellant's suitcase and concealed under the same gear that the rifle case was buried under !

d) Now one also needs to understand that it was a two-door Jeep Rubicon that one has to exit from and pull the front seat forward in order to get behind the front seats to get into the back.

e) Secondly, the only other way to get to the back is that one has to exit the Jeep and walk to the back and unhook the tire rack and open it up to get to the back door of the Jeep.

f) Then one has to remove all the items listed above to get to the pistols and the rifle.

So, NO, the pistols and the rifle were NOT “ready at hand” as Ms.

JONES is trying to mislead this Court into believing differently !

g) Thirdly, the pistol in the front passenger seat was in a gun bag that was closed and under the ice-chest and food in the passenger seat near the passenger door.

h) **It was not “ready at hand”** as one would have to remove the ice-chest and food from on top of the pistol bag in order to access the pistol to use it and where would one put these item in a two-door jeep in order to access the pistol quickly or **“readily”** ?

i) **Furthermore**, the JEEP was **LOCKED** as the DC CAPITOL HILL POLICE **had to take the keys from this Appellant** in order **for them to get inside the JEEP.**

“Ready at hand,” Ms. Jones ? This Appellant thinks not !

20. Next, this Appellant reminds this court as stated in the district court that he went through two metal detectors one in the Congress (House) building and the second at the Senate building. On top of this, this Appellant was subjected to a routine search by a street cop in between the House and the Senate building in front of the Capitol building.

So, HOW is Ms. JONES justified in claiming that my pistols and rifle were “>> on person << and ready at hand” ?

21. This Appellant brought up the issue of the unclean hands doctrine and the fruit of the poisonous tree in Judge KESSLER'S USDC Court.

a) Under these two doctrines if one is not charged for the first issue, which was the parking violation, then any evidence found in connection with it becomes fruit of the poisonous tree.

b) The clean hands doctrine is a rule of law that someone bringing a lawsuit or motion and asking the court for equitable relief must be innocent of wrongdoing, and unfair or fraudulent conduct relating to the subject matter of his/her claim. It is an affirmative defense that this defendant (Mr. Class) may claim as the Plaintiff has "unclean hands."

“Fruit of the Poisonous Tree.

“An extension of the exclusionary rule established in Silverthorne Lumber Co. v. United States, 251 U.S. 385 (1920). This doctrine holds that evidence gathered with the assistance of illegally obtained information must be excluded from trial. Thus, if an illegal interrogation leads to the discovery of physical evidence, both the interrogation and the physical evidence may be excluded, the interrogation because of the exclusionary rule, and the physical evidence because it is the “fruit” of the illegal interrogation. This doctrine is subject to three of important exceptions. The evidence will not be excluded (1) if it was discovered from a source independent of the illegal activity; (2) its discovery was inevitable; or (3) if there is attenuation between the illegal activity and the discovery of the evidence.”

This Source and others: Cornell University Law School, Legal Information Institute [LII] <https://www.law.cornell.edu>

22. Ms. JONES pointed out that on Nov. 21, 2014 this Appellant was arraigned by Judge ROBERTS. After the arraignment Judge ROBERTS Mirandized this Appellant in open Court and at this time the Appellant was finally informed of his rights.

23. Ms. JONES knows, as a UNITED STATES ATTORNEY, that one must be Mirandized **before** and **not after the fact** of arraignment.

a) This Appellant filed into the USDC a timeline of his arrest, which pointed out that there was an estimated time of 4 hours of

questioning by the FBI, U.S. Marshals and the D.C. CAPITOL HILL POLICE and that after the searching and questioning of the Appellant that the DC CAPITOL HILL POLICE **THEN** read this Appellant the Miranda warning !

b) This issue was brought up in Court not only in writing but was challenged in open court with Judge KESSLER.

c) The failure to Mirandize this Appellant before the search and seizure now must disqualify ALL evidence.

d) Judge KESSLER even asked the Prosecutor if the Appellant was Mirandized before the search and questioning AND the Prosecutor could not or would not answer the question !

e) "Miranda Warning Explanation of rights that must be given before any custodial interrogation, stemming largely from the Fifth Amendment privilege against self-incrimination. The person detained and interrogated must be made aware of the right to remain silent, the right to consult with an attorney and have the attorney present during questioning, and the right to have an attorney appointed if indigent.

a. Without a Miranda warning or a valid waiver, statements might be inadmissible at trial under the exclusionary rule (e.g., they cannot be used as substantive evidence of guilt in

criminal proceedings). *See* Miranda v. Arizona, 384 US 436 (1966).”

Source: Cornell University Law School, Legal Information Institute [LII] <https://www.law.cornell.edu>

24. Ms. JONES further Erred by addressing the “plea agreement” as a means to deny this Appellant his Appeal.

9 JUDGE ROBERTS HEARING

25. However, at the Feb. 9, 2015 hearing Judge ROBERTS, by a **published Court Order**, has allowed this Appellant to Appeal his conviction/plea agreement in order to attempt to overcome the plea agreement. See the USDC docket at #188 and #189.

26. This Appellant now addresses the fact that in the U.S.D.C. docket under #188 and #189 these two docket numbers show that Judge ROBERTS, by Court Order, allowed this Appellant to Appeal the Plea Agreement made on Nov. 16, 2014.

a) The following scenario is why the Appellant's appeal was allowed: On Feb. 9, 2015 at the hearing in front of Judge

ROBERTS this Appellant was asked if he agreed with the plea agreement.

b) The Appellant objected on the grounds that the UNITED STATES ATTORNEY'S OFFICE and the PUBLIC DEFENDERS OFFICE both **lied and covered up facts** that Judge Frederick J. Scullin, Jr. and this Circuit ruled and found the D.C gun restrictions unconstitutional.

c) The fact that CNN News covered this story and on July 23-28, 2014 the citizens of the District of Columbia were shown on TV by CNN News people carrying side arms openly in public on the streets of the District of Columbia.

d) **At that point Judge ROBERTS agreed to allow this Appellant to appeal the plea agreement and did so on the record.**

e) Also on Feb. 9, 2015 at this Appellant's allocution he was asked if he had anything to add to what was already stated.

f) This Appellant also added that he objected to the Prosecutor's obviously taunting statement uttered into the record of the hearing where the Prosecutor stated: **"The Prosecution now hopes that Mr. Class will now learn to follow the law."**

This Appellant's objections to the above statement as to what "laws" this Appellant might have or would further violate are as follows:

1. Appellant had a Carry Conceal Permit issued from North Carolina.
 2. Appellant's rifle and pistols were registered with the FBI here in D.C. as part of North Carolina permitting procedure.
 3. Pursuant to the UNITED STATES CODE TITLE 18 section 930, section (h) the grounds had to be posted with a sign and it was NOT and the fact that this D.C. Circuit Court and Federal Judge Scullin ruled the D.C. gun laws as unconstitutional.
 4. So now, what laws did the Appellant break ? Judge ROBERTS again stated on the court record that this Appellant could Appeal this case and the two docket entries #188 and #189 validate that fact that this Appellant is here, and that this Court requested an outside law firm to act as Amicus Curiae in this case.
27. Ms. JONES again Erred in the fact that JONES failed to mention that Judge KESSLER was removed from this case and Judge ROBERTS took her place. Also on docket #122 Judge ROBERTS denied an entire voluminous filing of this Appellant intended for Judge KESSLER that she had ordered for Pretrial filing by the Appellant. Judge ROBERTS

countermanded all of Judge KESSLER'S orders when he took over the case.

28. The next issue of Ms. JONES Errors: Ms. JONES has stated in her brief that the Appellant failed to address certain issues in the lower court. This Appellant cannot believe, in his many, many filings, that the Appellant missed any issues.

The issue is that the UNITED STATES ATTORNEY'S OFFICE has failed to address any of or disputed any of the Appellant's facts and conclusions in law in the district court, as the Amicus Curiae lawyer has pointed out in their first brief.

Ms. JONES is making the **same arguments** here in this Circuit Court as the **last three** UNITED STATES PROSECUTORS **tried to make** in the district court **in front of the last three federal judges**.

Their statements were the same as Ms. JONES' "Mr. Class had firearms in D.C." *End of case !*

The three other Prosecutors failed to rebut the Appellant's facts and conclusions in law and the fact that this Appellant DID NOT have any firearms as defined by the Congressional definitions under the National Firearm Act of 1934 **or** under the IRS CODES Title 26 USC, sec. 5845 for tax purposes **or** as defined by ATF "regulations" found in Title 27

CFR 479.11 !

29. As for 18 USC, sec. 921 it is a fact shown by Congressional Records that Title 18 USC was **never passed by both the House and the Senate on May 12, 1947** and that fact and conclusion in law sits in the Library of Congress **in the books of records and on this Appellant's computer hard drive !**

30. The next issue is the Professional Ethics of the UNITED STATES

ATTORNEY'S OFFICE

U.S. Code › Title 28 › Part II › Chapter 31 › § 530B

28 U.S. Code § 530B - Ethical standards for attorneys for the Government

(a) An attorney for the Government shall be subject to State laws and rules, and local Federal court rules, governing attorneys in each State where such attorney engages in that attorney's duties, to the same extent and in the same manner as other attorneys in that State.

(b) The Attorney General shall make and amend rules of the Department of Justice to assure compliance with this section.

(c) As used in this section, the term "attorney for the Government" includes any attorney described in section 77.2(a) of part 77 of Title 28 of the Code of Federal Regulations and also

includes any independent counsel, or employee of such a counsel, appointed under chapter 40.

CFR › Title 28 › Chapter I › Part 77 › Section 77.1

28 CFR 77.1 - Purpose and authority.

§ 77.1 Purpose and authority.

- (a) The Department of Justice is committed to ensuring that its attorneys perform their duties in accordance with the highest ethical standards. The purpose of this part is to implement 28 U.S.C. 530B and to provide guidance to attorneys concerning the requirements imposed on Department attorneys by 28 U.S.C. Section 530B.
- (b) 530B requires Department attorneys to comply with state and local federal court rules of professional responsibility, but should not be construed in any way to alter federal substantive, procedural, or evidentiary law or to interfere with the Attorney General's authority to send Department attorneys into any court in the United States.
- (c) Section 530B imposes on Department attorneys the same rules of professional responsibility that apply to non-Department attorneys, but should not be construed to impose greater burdens on Department attorneys than those on non-Department attorneys or to alter rules of professional responsibility that expressly exempt government attorneys from their application.

(d) The regulations set forth in this part seek to provide guidance to Department attorneys in determining the rules with...

Title 18, Sec. 2076. - Clerk of United States District Court

Whoever, being a clerk of a district court of the United States, willfully refuses or neglects to make or forward any report, certificate, statement, or document as required by law, shall be fined under this title or imprisoned not more than one year, or both.

18 U.S. Code § 1001 - Statements or entries generally

(a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully—

(1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; representation; or

(2) makes any materially false, fictitious, or fraudulent statement or

(3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8 years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

31. 28 U.S. Code § 607 - Practice of law prohibited

An officer or employee of the Administrative Office shall not engage directly or indirectly in the practice of law in any court of the United States.

/O CONCLUSION

32. And finally, whereas the D.C. CIRCUIT COURT seems to be both an Administrative Court as well as an Appellate Court.

33. When this Circuit Court makes its decisions in law are they (the decisions) “Administrative decisions” that only apply to a government administrative branch, and isn't the UNITED STATES ATTORNEY'S OFFICE and isn't any attorney from that “office” operating as an “administrator” for the government ? Isn't a lawyer for the government or a public defender also operating as an administrator ?

34. OR are these decisions actual lawful Court decisions that could be used to overturn a lower court ruling ?

35. These issues between this Appellant and the U.S. ATTORNEY'S OFFICE comes down to several basic points.

a) When the U.S. Supreme Court and the D.C. Circuit Court Ruling and the USDC Federal Judge Frederick J. Scullin. Jr. has declared that the D.C. gun restriction actions were unconstitutional do these rulings constitute a defense in any of the previously mentioned courts ?

b) When the U.S. Constitution Article IV, section 1 and 2 “equal protection under the law”, and the 14th Amendment “equal protection under the law,” **do they or do they not have merit in law ?**

c) When the U.S.C. Title 42, section 1981 declares “equal protection under the law” **does it or does it not have merit in law ?**

d) If the decisions by the U.S. supreme Court and this D.C. Circuit Court and Federal Judge Frederick J. Scullin, Jr. are that the D.C. Gun restrictions have no authority and have no merit in law,

e) Then how do any of Judge ROBERTS' rulings have any merit or enforcement in law ?

f) Is Not the UNITED STATES ATTORNEY'S OFFICE required by federal regulation to come under a professional Code of Ethics ? Isn't this DC CIRCUIT COURT and also the UNITED STATES

DISTRICT COURT required to adhere to U.S. supreme Court case law ?

g) Then how is it possible for this Appellant to be convicted when the U.S. supreme Court, this DC Circuit Court and the ruling from Federal Judge Frederick J. Scullin, Jr. declared that such ordinances/laws were unconstitutional ?

36. These issues also now come down to a moral violation of the rules of Ethics.

37. On one hand the Highest Court in the land, The Second Highest Court, and a Federal Court have, all three, ruled that the People have the "right to carry."

38. The federal statutes clearly state that the Capitol grounds had to be posted in plain sight. The grounds in question **HAD NO POSTINGS !**

39. The Appellant did/does possess a North Carolina carry concealed permit issued by the state of North Carolina.

40. The Appellant's pistols and rifle were registered by federal regulation as part of the permitting process in North Carolina !

41. Furthermore, the Rules of Evidence under 402 and 501 define what evidence is admissible.

Rule 402. General Admissibility of Relevant Evidence

Relevant evidence is admissible unless any of the following provides

otherwise:

- the United States Constitution;
- a federal statute;
- these rules; or
- other rules prescribed by the Supreme Court. Irrelevant evidence is not admissible.

Rule 501. Privilege in General

The common law—as interpreted by United States courts in the light of reason and experience—governs a claim of privilege unless any of the following provides otherwise:

- the United States Constitution;
- a federal statute; or
- rules prescribed by the Supreme Court.

But in a civil case, state law governs privilege regarding a claim or defense for which state law supplies the rule of decision.

42. Do the rules/rulings created by the U.S. supreme Court hold any merit in law ?

43. If Court's rulings have no force and affect in law then Judge ROBERTS' ruling **must be Vacated.**

44. If Court rulings are supreme law and are to be adhered to by the UNITED STATES ATTORNEY'S OFFICE under the Rules of

Procedure, and Professional Ethics then Judge ROBERTS' ruling against the Appellant **must be Vacated.**

45. If the UNITED STATES ATTORNEY'S OFFICE is in violation of 28 USC, sec. 530B and 28 CFR. sec. 77, and of the Rules of Evidence 402 and 501 then this case **must be Vacated.**

46. If the Appellant complied by having a State carry permit from the state (North Carolina) he came from and the pistols and rifle were registered then this case **must be Vacated.**

47. If the federal codes under 18 USC, sec. 930 required the Federal government to post the Federal Capitol grounds area as “restricted” and failed to do so then this case **must be Vacated.**

48. WHEREAS the Rules of Court are created for the Attorneys (28 USC 530(b) and 28 CFR, sec. 77) and Court rules, decisions, judgments, decrees are created to be the Rule of Law then the issue of Constitutional contempt, and substantive due process violations and contempt allegations comes into question against the UNITED STATES ATTORNEY'S OFFICE, **then this Case must be Vacated.**

CONSIDER THIS: The People do not live by case law, NOR

“theory or concept” of some law; what this Appellant did

was to apply to his State for a carry-concealed permit

By Agent
Rodney Dale Class
M 9/29/2016
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and in that process had to register his side arms and rifle
with the FBI when purchased and, therefore, he was already
in compliance with both the state and the Federal Government
when he visited Washington, DC ! On the other hand, the
Government has clearly failed to even come in to compliance
with ITS own "case law" as decided by the US supreme Court
and other Federal Courts, which have decided "case law"
showing that the
DC Ordinances, etc. were "unconstitutional."

By Agent Rodney Dale, Class

By Agent; Rodney Dale Class as Grantor-Creator, Petitioner And
Appellant

Private Attorney General

Private American National of a Protected Class of Living Beings

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By Agent Rodney-Dale, class
M 9/13/2016

// CERTIFICATE OF NOTICE

Let this serve as a Certificate of Notice to the UNITED STATES OF AMERICA as an Artificial Entity / Corporation and to the Trustees of the UNITED STATES ATTORNEY'S OFFICE that on this date in 2016 A.D. in the year of our Lord in this Month of March and on the 1 day to be placed on the record and to be recorded in the Clerk's Office of the Circuit Court of Appeals this Appellant Rebuttal

By Agent Rodney-Dale, class

By Agent; Rodney-Dale Class as Grantor-Creator, Petitioner And Appellant

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